



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/270,834	03/18/1999	MASAHITO NIIKAWA	032567-007	3006

21839 7590 06/06/2003

BURNS DOANE SWECKER & MATHIS L L P
POST OFFICE BOX 1404
ALEXANDRIA, VA 22313-1404

EXAMINER

VU, NGOC YEN T

ART UNIT	PAPER NUMBER
----------	--------------

2612

DATE MAILED: 06/06/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.
09/270,834

Applicant(s)
Masahito NIKAWA et al.

Examiner
Ngoc-Yen Vu

Art Unit
2612



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Mar 18, 1999.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on Mar 18, 1999 is/are a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

*See the attached detailed Office action for a list of the certified copies not received.

- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s). 4, 7, 8 6) ☐ Other:

Art Unit: 2612

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Information Disclosure Statement

2. The information disclosure statement, filed 06/07/1999 and 05/30/2001, has been placed in the application file, and the information referred to therein has been considered as to the merits.

Specification

3. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

Claim Objections

4. Claims 14-15 are objected to because of the following informalities:

Claim 14: line 4, change “the display” to --a display--.

Claim 15: line 2, change “an connector” to --a connector--; line 3, change “a image display” to --an image display--. Appropriate correction is required.

Art Unit: 2612

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claims 8-11 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 8 recites the limitation "said display" in line 4. There is insufficient antecedent basis for this limitation in the claim.

Claims 9-11 are rejected for being depending upon the rejected claim 8.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in-

(1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent; or

(2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent,

except that an international application filed under the treaty defined in section 351(a) shall have the effects for the purpose of this subsection of an application filed in the United States and was published under Article 21(2)(a) of such treaty in the English language

6. Claims 1, 5, 7, 15 and 20-25 are rejected under 35 U.S.C. 102(e) as being anticipated by Satoh et al. (US #6,111,662).

Art Unit: 2612

Regarding claim 1, Satoh '662 teaches a camera system, comprising:

a camera (Figs. 35/36/92/95, camera 120; Figs. 115/116, camera 300) for photographing an object and acquiring image data of the object;

a computer (Figs. 37/38, PC 122/126) connectable to said camera;

a manipulation member (Figs. 35/36/93-95, trigger switch 119, operation switches 114a-114f; Figs. 116/117, operation switches 311a-311f) provided to said camera;

a camera controller (system controller 110/310) provided to said camera for detecting an operation of said manipulation member and transmitting a signal based on the detected results to said computer (Satoh teaches that when the modem switch 114e is turned on, the communication between the camera and the PC is started, see col. 23 lines 30-44; col. 23 line 55 - col. 24 line 38; Satoh further teaches that when the connection has been completed, frame numbers as selected by switches 114c-114d are transmitted by depressing trigger switch 119; col. 24, lines 28-38. In figure 117, Satoh also teaches switches 311d-311f for shifting the layer of the hierarchical directory of the image files stored in the camera; col. 48 lines 17-30); and

a controller provided in said computer for controlling a screen of a display functioning together with said computer based on the signal received from said camera (Satoh teaches that when the connection between the PC 122 and the camera has been completed, the PC displays CAMERA; see col. 24 lines 15-21; col. 25 lines 31-34; Satoh further teaches that the PC 122 can receive and display image file directory information from the memory card 117 of the camera; see Fig. 5 col. 28 lines 7-11).

Art Unit: **2612**

Regarding claim 5, Satoh '662 teaches a computer program product based on which a computer (PC 122), which is connectable to a camera (120) for photographing an object and acquiring image data of the object, executes the steps of :

receive a signal transmitted by the camera connected to the computer (Satoh teaches that when the modem switch 114e is turned on, the communication between the camera and the PC is started, see col. 23 lines 30-44; col. 23 line 55 - col. 24 line 38; Satoh further teaches that when the connection has been completed, frame numbers as selected by switches 114c-114d are transmitted by depressing trigger switch 119; col. 24, lines 28-38. In figure 117, Satoh also teaches switches 311d-311f for shifting the layer of the hierarchical directory of the image files stored in the camera; col. 48 lines 17-30); and

display a folder for storing image data transmitted from the camera on a display functioning together with the computer based on the signal (Figs. 70-71; col. 30 lines 1-28).

Regarding claim 7, Satoh '662 teaches a camera system, comprising:

a camera (Figs. 35/36/92/95, camera 120; Figs. 115/116, camera 300) for photographing an object and acquiring image data of the object;

a computer (Figs. 37/38, PC 122/126) connectable to said camera;

an image display (Figs. 35/92/115, LCD 113 & LCD 312) provided to said camera;

a controller provided in said computer for detecting a connection of said camera to said computer, and transmitting a display data stored in said computer to said camera based on the detected results (Satoh teaches that when the connection between the PC 122 and the camera has

Art Unit: 2612

been completed, the PC transmits command signal to the camera; see col. 23 line 55 - col. 24 line 38; col. 29 lines 1-9); and

a camera controller (system controller 110/310) provided to said camera for controlling a screen of said image display based on the display data received from said computer (Figs. 42-43; col. 25 lines 6-39).

Regarding claim 15, Satoh '662 teaches a camera, comprising:

a connector (Figs. 36/95, connector 116) connectable to a computer;

an image display (Figs. 35/92/115, LCD 113 & LCD 312) ;

a camera controller (system controller 110/310) which receives display data from the computer connected to said connector, and controls a screen of said image display based on the received display data (Figs. 42-43; col. 25 lines 6-39).

Regarding claim 20, Satoh '662 teaches a camera system, comprising:

a camera (Figs. 35/36/92/95, camera 120; Figs. 115/116, camera 300) for photographing an object and acquiring image data of the object;

a computer (Figs. 37/38, PC 122/126) connectable to said camera;

a memory (system controller 110 and memory card 117) provided in said camera, said memory registering an operation for said computer connected to said camera; and

a manipulation member (Figs. 35/36/93-95, trigger switch 119, operation switches 114a-114f; Figs. 116/117, operation switches 311a-311f) which calls a registered content from said memory, and specifies the operation based on the registered content when said manipulation

Art Unit: 2612

member is operated (Sato teaches that when the modem switch 114e is turned on, the communication between the camera and the PC is started, see col. 23 lines 30-44; col. 23 line 55 - col. 24 line 38; Sato further teaches that when the connection has been completed, frame numbers as selected by switches 114c-114d are transmitted by depressing trigger switch 119; col. 24, lines 28-38. In figure 117, Sato also teaches switches 311d-311f for shifting the layer of the hierarchical directory of the image files stored in the camera; col. 48 lines 17-30).

As to claim 21, Sato '662 teaches that the operation includes a transfer of the image data to said computer (col. 23 lines 30-44; col. 23 line 55 - col. 24 line 38).

As to claim 22, Sato '662 teaches that the operation is to specify a folder for transferring the image data to said computer (col. 28 lines 40-67).

Regarding claim 23, Sato '662 teaches a camera, comprising:

a connector (Figs. 36/95, connector 116) connectable to a computer;

a memory (system controller 110 and memory card 117) for registering an operation for the computer connected to said camera; and

a manipulation member (Figs. 35/36/93-95, trigger switch 119, operation switches 114a-114f; Figs. 116/117, operation switches 311a-311f) which calls a registered content from said memory, and specifies the operation based on the registered content when said manipulation member is operated (Sato teaches that when the modem switch 114e is turned on, the communication between the camera and the PC is started, see col. 23 lines 30-44; col. 23 line 55 - col. 24 line 38; Sato further teaches that when the connection has been completed, frame

Art Unit: 2612

numbers as selected by switches 114c-114d are transmitted by depressing trigger switch 119; col. 24, lines 28-38. In figure 117, Satoh also teaches switches 311d-311f for shifting the layer of the hierarchical directory of the image files stored in the camera; col. 48 lines 17-30).

As to claim 24, Satoh teaches that the operation includes a transfer of the image data to said computer (col. 23 lines 30-44; col. 23 line 55 - col. 24 line 38).

As to claim 25, Satoh teaches that the operation is to specify a folder for transferring the image data to said computer (col. 28 lines 40-67).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 2-4, 6, 12-14 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Satoh '662 in view of Hamada et al. (US #6,191,807).

As to claim 2, claim 2 differs from Satoh in that the claim further requires that the operation of the manipulation member is to specify a folder for transferring image data acquired by said camera to said computer. However, Satoh does teach switches 311d-311f for up/down shifting the layer of the hierarchical directory of the image data file (Fig. 117). In the same field

Art Unit: 2612

of endeavor, Hamada teaches a camera system (see Figs. 1 & 5) which allows a pointing cursor to specify a folder for transferring image data from one apparatus to the other terminal apparatus (see Figs. 3-4, 7-10; col. 5 line 25 - col. 6 line 18; col. 25 lines 64-67). In light of the teaching from Hamada, it would have been obvious to one of ordinary skill in the art to modify the camera system taught in Satoh by allowing the manipulation member to specify a folder for transferring image data to the computer so as to allow a group of image files to be transferred at one time.

As to claims 3 and 6, Satoh and Hamada fail to teach that said computer displays a warning screen on said display, and transmits warning information to said camera when a capacity of the specified folder is not enough. However, Satoh does teach that for image data transmission between the camera and the computer, a file size is first transmitted and the image file is transmitted thereafter as binary data (col. 24 lines 28-38). Furthermore, Hamada also teaches that the remaining capacity of a memory device of a partner terminal is first determined before the image data communication process (Fig. 44, col. 10 lines 16-28). It is well known in the art to provide warning to warn the computer users of the capacity of a specified folder (Official Notice). Therefore, it would have been obvious to one of ordinary skill in the art to display warnings on the computer display taught in Satoh and Hamada of the capacity of a specified folder and to transmit warning information to the camera when a capacity of the specified folder is not enough so as to prevent a wasteful transfer operation of desired image files or folders.

Art Unit: **2612**

As to claim **4**, Satoh teaches that the camera is provided with an image display (LCD 113 and LCD 312). Since the LCDs 113/312 are formed of segment displays, it would have been obvious to one of ordinary skill in the art to recognize that the warning information displayed on the LCD 113/312 being different from that on the computer display.

As to claims **12-14**, the subject matter in claims 12-14 can be found in claims 2-4.

As to claim **19**, Satoh, as modified by Hamada, teaches that said camera controller displays a frame showing a display range to be changed on said image display (Hamada, see Figs. 12, 21, 30, 31).

8. Claims 16-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Satoh '662 in view of Ota (US #6,201,571).

As to claims **16-17**, the claims differ from Satoh in that the claims further require that said image display displays by thinning out the display data and said image data includes mouse cursor display data, and wherein the mouse cursor display data are displayed on said image display without being thinned out. In the same field of endeavor, Ota teaches a digital camera having a reduction processing (10) which thins-out the display data (See Figs. 1 and 6-8; col. 5 lines 21-34; col. 7 line 40 - col. 8 line 40). In light of the teaching from Ota, it would have been obvious to one of ordinary skill in the art to modify the camera system provided in Satoh by thinning out display data in order to provide a preview of the image data. It is noted that Ota teaches that character image or numerical data can be displayed without being thinned out.

Art Unit: 2612

Therefore, it would have been obvious to one of ordinary skill in the art to include mouse cursor display data in the camera system taught in Satoh, and the mouse cursor display data are displayed on said image display without being thinned out because the amount of data represented by the cursor display data is modest.

As to claim 18, Satoh, as modified by Ota, teaches that said camera includes a manipulation member (Ota, reduction processing section 10) for instructing a change of display magnification rates of said image display, and wherein said camera controller changes the display magnification rate by changing a thinning out rate of the display data in response to an operation of said manipulation member (col. 5 lines 21-34; col. 7 line 40 - col. 8 line 40).

Allowable Subject Matter

9. Claims 8-11 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, second paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

Conclusion

10. **Any response to this office action should be mailed to:**

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

Art Unit: **2612**

(703) 872-9314, (for formal communications intended for entry)

(for informal or draft communications, please label

"PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington.


VA., Sixth Floor (Receptionist).

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Ngoc-Yen Vu** whose telephone number is (703) 305-4946. The examiner can normally be reached on Mon - Fri from 8 am to 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Wendy Garber**, can be reached on (703) 305-4929.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4700.

NYV
06/02/2003


NGOC-YEN VU
PRIMARY EXAMINER